

## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY



As the inventor of the following invention:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of only one name is listed below or an original, first and joint inventor of plural names are listed below of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**"Nucleic acid diagnostics based on mass spectrometry or mass separation and base specific cleavage"**

the specification of which (check only one item below):

☐ is attached hereto

☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

(if applicable)

☒ was filed as PCT international application

Number

PCT/AU98/00396

on

28 May 1998

and was amended under PCT Article 19

on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN, PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119

Country	Application Number	Date of Filing	Priority Claimed
Australia	PO 7102	28 May 1997	<input checked="" type="checkbox"/>
Australia	PO 7109	30 May 1997	<input checked="" type="checkbox"/>
Australia	PP 1665	5 February 1998	<input checked="" type="checkbox"/>
Australia	PP 3592	19 May 1998	<input checked="" type="checkbox"/>

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Stephen D. Murphy, Reg. No. 22,002; Leopold Presser, Reg. No. 19,827; William C. Roch, Reg. No. 21,972; Kenneth L. King, Reg. No. 24,223; Frank S. DiGiglio, Reg. No. 31,348; Paul J. Esatto, Jr., Reg. No. 30,741; John S. Sosnys, Reg. No. 28,757; Mark J. Cohen, Reg. No. 32,211; Richard L. Catania, Reg. No. 32,608 and Donald T. Usack, Reg. No. 27,999.

Direct Telephone Calls to

Scully, Scott, Murphy & Presser  
100 Garden City Plaza  
Garden City, NY 11530

Leopold Prosser  
(516) 742-4343

I hereby declare that the statements made herein of my own knowledge are true and that all statements made on information and belief are true and so true, and further that these statements were made with the knowledge that willful false statements would be made and that such statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

R. R. Phyllis  
18/2/00

Page 2 of 2

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NAME LAST, FIRST, MIDDLE <b>REID</b>	NAME LAST, FIRST, MIDDLE <b>Essendon</b>	NAME LAST, FIRST, MIDDLE <b>Essendon</b>	NAME LAST, FIRST, MIDDLE <b>Essendon</b>	NAME LAST, FIRST, MIDDLE <b>Essendon</b>
DATE OF BIRTH MONTH, DAY, YEAR <b>330 Pascoe Vale Road</b>	DATE OF BIRTH MONTH, DAY, YEAR <b>330 Pascoe Vale Road</b>	DATE OF BIRTH MONTH, DAY, YEAR <b>330 Pascoe Vale Road</b>	DATE OF BIRTH MONTH, DAY, YEAR <b>330 Pascoe Vale Road</b>	DATE OF BIRTH MONTH, DAY, YEAR <b>330 Pascoe Vale Road</b>
POST OFFICE ADDRESS <b>330 Pascoe Vale Road</b>	POST OFFICE ADDRESS <b>330 Pascoe Vale Road</b>	POST OFFICE ADDRESS <b>330 Pascoe Vale Road</b>	POST OFFICE ADDRESS <b>330 Pascoe Vale Road</b>	POST OFFICE ADDRESS <b>330 Pascoe Vale Road</b>
CITY <b>Essendon</b>	CITY <b>Essendon</b>	CITY <b>Essendon</b>	CITY <b>Essendon</b>	CITY <b>Essendon</b>
STATE <b>Victoria</b>	STATE <b>Victoria</b>	STATE <b>Victoria</b>	STATE <b>Victoria</b>	STATE <b>Victoria</b>
COUNTRY <b>Australia</b>	COUNTRY <b>Australia</b>	COUNTRY <b>Australia</b>	COUNTRY <b>Australia</b>	COUNTRY <b>Australia</b>
ZIP CODE <b>3040</b>	ZIP CODE <b>3040</b>	ZIP CODE <b>3040</b>	ZIP CODE <b>3040</b>	ZIP CODE <b>3040</b>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

that willful false statements 1001 of Title 18 of the United States Code, and that such willful the application or any patent issuing thereon.		SIGNATURE OF INVENTOR 206
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	
DATE 17 February 2000	DATE	DATE
SIGNATURE OF INVENTOR 207	SIGNATURE OF INVENTOR 208	SIGNATURE OF INVENTOR 209
DATE	DATE	DATE

— 110 —

Colleen ELSO  
Richard SIMPSON & Gavin REID

1. Return; 2. Ticket No.

Series) or Patent No.:

NAME OF IRRED:

Filed or Invented: acid diagnostics based on mass spectrometry or mass

"Nucleic acid diagnostics based on separation and base specific cleavage"

VERIFIED STATEMENT (DECLARATION) REGARDING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:  
THE WALTER AND ELIZA HALL INSTITUTE OF MEDICINE

reby declare that I am an official empowered to act on behalf of the organization identified below:

THE WALTER AND ELIZA HALL INSTITUTE OF MEDICAL RESEARCH

NAME OF ORGANIZATION \_\_\_\_\_  
ADDRESS OF ORGANIZATION Royal Parade, Parkville, Victoria, 3092,  
Australia

**TYPE OF ORGANIZATION**

- TYPE OF ORGANIZATION:
- ( ) UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
( ) TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
(X) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES

OF AMERICA

OF AMERICA  
INDEP. OF STATE

(NAME OF STATE)  
(CITATION OF STATUTE)

- NAME OF STATE \_\_\_\_\_  
 (CITATION OF STATUTE \_\_\_\_\_)  
 I ) WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 176 USC 501(a)  
 and 501(c)(3) IF LOCATED IN THE UNITED STATES OF AMERICA  
 K ) WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF  
 THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
 STATE \_\_\_\_\_

NAME OF STATE

CITATION OF STATUTE

CITATION OF STATUTE

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled Same as above by inventor(s) described in \_\_\_\_\_.

( ) the specification filed herewith  
( ) application serial no. \_\_\_\_\_, filed  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ International

the specification of the invention, filed with the  
application serial no. \_\_\_\_\_, issued \_\_\_\_\_  
patent no. \_\_\_\_\_  
National Phase Entry of International Patent Application No.  
PCT/AU98/00396 filed 28 May 1998  
\_\_\_\_\_ has been converted to and remain with

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NA-11

ADDRESS

SS INDIVIDUAL

SMALL BUSINESS CONCERN
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NON-PROFIT ORGANIZATION

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REV. 10/15/77

INDIVIDUAL

SMALL BUSINESS CONCERN
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NOT-FOR-IT ORGANIZATION
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I understand the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

W. Robert Krumpholtz - General Manager

NAME OF PERSON SIGNING: Dr Margaret Brumby - General Manager

NAME OF PERSON SIGNING: Dr Margaret Brumby - General Manager  
 TITLE IN ORGANIZATION: Walter and Eliza Hall Institute of Medical Research  
Royal Parade, Parkville, Victoria, 3052.  
 ADDRESS OF PERSON SIGNING: 17 03 2000

Signature: Australia

With → 17.02.2000